

# SB 477 (Steinberg)

## Preventing Immigrant Worker Exploitation and Abuse

### SUMMARY

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Seeks to prevent human trafficking and exploitation of foreign workers by abusive foreign labor contractors.

Requires registration of foreign labor contractors and the use of only registered contractors by California employers using foreign labor contractors to hire foreign workers.

Requires full and fair disclosure of working conditions to foreign workers.

This bill contains the same language as SB 516 (Steinberg 2012) with a simple funding fix requested by Governor Brown.

### BACKGROUND

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Foreign labor contractors are increasingly relied upon to facilitate the migration of labor from one country to another. California is the leading destination state in the U.S. for temporary foreign workers.

While many contractors behave ethically and lawfully, others do not. They misuse U.S. visa programs to exploit workers, often charging exorbitant fees for their services, forcing workers into debt bondage, falsifying documents, and deceiving workers about the terms and conditions of proposed employment.

Unscrupulous foreign labor contractors threaten workers with blacklisting, discrimination, and other forms of retaliation, including the imposition of additional fees and violence against themselves, family members, or their home communities, for reporting abuses or seeking to escape their fraudulently induced servitude.

As of January 2011, there were 130,000 temporary foreign workers in California. Stricter regulation of foreign labor contractors is needed to protect these documented workers from human trafficking and other abuses.

### BILL SUMMARY

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- Requires foreign labor contractors to disclose full and fair information to foreign workers, in a language they understand, about the terms and conditions of work in California. A contractor may not knowingly provide a worker with false or misleading information.
- Prohibits foreign labor contractors from soliciting a foreign worker for a job in California in the absence of a bona fide offer of employment.
- Prohibits foreign labor contractors from charging a worker a fee for recruiting activities.
- Requires foreign labor contractors be registered with the California Labor Commissioner in order to operate. California-based employers would be required to use the services of only registered foreign labor contractors.
- Foreign labor contractors and employers would be subject to penalties for violations. Aggrieved workers would have civil causes of action to protect their interests.

### SUPPORT

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Coalition to Abolish Slavery and Trafficking (Sponsor)  
National Council of Jewish Women-California  
Attorney General of California  
Alliance to End Slavery and Trafficking  
International Justice Mission  
International Labor Recruitment Working Group  
City and County of San Francisco, Department on the Status of Women

### CONTACT

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